

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q90576

Naohiko ICHIHARA, et al.

Appln. No.: 10/551,754

Group Art Unit: 3663

Confirmation No.: 4338

Examiner: Jonathan A. Goldfarb

Filed: October 3, 2005

For: NAVIGATION APPARATUS, NAVIGATION METHOD, ROUTE DATA
GENERATION PROGRAM, RECORDING MEDIUM CONTAINING ROUTE DATA
GENERATION PROGRAM, AND SERVER DEVICE IN NAVIGATION SYSTEM

RESPONSE TO RESTRICTION AND ELECTION OF SPECIES REQUIREMENTS

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This responds to the Restriction and Election of Species Requirement, dated April 17, 2007. In response to the Restriction Requirement, Applicant elects Group I, claims 37-62 and 68-72 for examination. This election is made with traverse.

Specifically, Applicant submits that the Restriction Requirement is improper because the invention of the instant application was not found to lack unity in the International Search Report at the PCT stage. Further, in the international preliminary examination, the invention of the present application was determined to have novelty over both Denso Corp. (JP-2002-365076A) and Mitsubishi Corp. (JP-11-265495A). Therefore, claims 37-72 of the present invention include special technical features that define a contribution over the prior art (PCT Rule 13.2).

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Consequently, claims 37-72 of the present invention include single general inventive concept (PCT Rule 111).

This also responds to the Election of Species Requirement, dated April 17, 2007. The Examiner has identified the application as containing claims directed to more than one distinct species. The Examiner has required the Applicant to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted. The Examiner believes there are no generic claims. Applicant has been advised that a response to this requirement shall include an identification of the species that is elected and a listing of all claims readable thereon.

In response to the Examiner's requirement, Applicant elects Species A, Figures 1-11, for examination on which claims 37-40, 42, 47, 48, 52-54, 58 and 60-69 are readable.

Applicant submits that if any of the elected claims is found to be allowable, claims dependent therefrom should similarly be considered allowable in the same application.

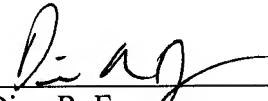
Applicant reserves the right to file a Divisional Application directed to the non-elected claims.

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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